

S. DUFF KERR

IBLA 78-350
78-351

Decided August 3, 1978

Appeals from decisions of the Nevada State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offers N-19525, N-19528, N-19539, N-19560, N-19573, N-19577, N-19551, N-19576, N-19579.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

Unsigned and undated drawing entry cards filed in the simultaneous oil and gas leasing drawings must be rejected. An oil and gas lease offer is not accepted by the United States until a lease is executed and signed by the appropriate officer.

APPEARANCES: S. Duff Kerr, pro se.

OPINION BY ADMINISTRATIVE JUDGE THOMPSON

These are consolidated appeals from separate decisions of the Nevada State Office, Bureau of Land Management (BLM), dated March 6, 1978, and March 29, 1978, rejecting oil and gas lease offers N-19525, N-19528, N-19539, N-19560, N-19573, N-19577, N-19551, N-19576, and N-19579. The offers were rejected because none of the drawing entry cards submitted by appellant was signed or dated. The decisions relied on 43 CFR 3112.2-1, providing that a drawing card must be signed and fully executed by the applicant.

In his statement of reasons appellant asserts that the "cards were properly filled out, timely mailed with all the necessary data included * * *." He also asserts that in drawing the cards and announcing appellant's name the BLM accepted his offer, "with the only act left to be done being the issuance of the lease by the BLM and the payment of the rentals by me."

[1] It is well settled that failure to sign the drawing entry cards compels the rejection of the lease offers. The regulations are mandatory and require strict compliance. The Board has consistently held that entry cards which are not signed or dated must be rejected. Jack L. MacDowell, 34 IBLA 202 (1978); Adobe Oil and Gas Corp., 34 IBLA 13 (1978); Milo W. Snider, 33 IBLA 42 (1977); Thomas C. Moran, 32 IBLA 168 (1977).

Appellant's contention that the offer was accepted by the drawing of his card and announcement by the BLM clerk is without merit. An oil and gas lease offer is not accepted by the United States until a lease is executed and signed by the appropriate officer. 43 CFR 3111.1-1(c); Geral Beveridge, 14 IBLA 351 (1974). If an offer is not filed in accordance with the regulations, it must be rejected. 43 CFR 3111.1-1(d).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Joan B. Thompson
Administrative Judge

We concur:

Frederick Fishman
Administrative Judge

Edward W. Stuebing
Administrative Judge

